

**Department of Human Services
Office of Rehabilitation Services
State Rehabilitation Council**

November 15, 2004

4:00 PM – 6:00 PM

**RI Department of Labor and Training
Center General Complex 73 (Main conference Room)
1511 Pontiac Avenue
Cranston, RI 02920**

Meeting Minutes

Present from State Rehabilitation Council: William Anderson, Janice Belasco, Raymond Carroll (Ex-Officio), Bob Cooper, M. Kathleen Ellis, Craig Enos, Joseph Ferreira, Steven Florio, Elizabeth Graves, Scott A. Greco, Margaret Hoyer, Catherine Sansonetti, Rosemary Scribner, J. David Sienko, Michaela Stannard

Present from Agency: Stephen Brunero, Gary Wier

Honored Guests: Susan Donovan

1. CALL TO ORDER AND INTRODUCTIONS - The Vice-chair, J. David

Sienko, called meeting to order at 4:15 PM. Susan Donavon was introduced as a new member representing RIPIN, pending Council's approval

2. OLD BUSINESS – J. David Sienko

1. Additions or deletions to the Agenda: None

2. Approval of minutes

Motion

S. Greco made a motion seconded by M. Hoye and approved, to accept the minutes from the October 4, 2004, meeting.

3. NEW BUSINESS –B. Anderson

- Chairperson's Report – Opinion from the chief legal counsel at the Governor's office.

(Memo with advisory opinion from the Governor's office distributed to Council members)

B. Anderson: At the Council's last meeting and at the Executive Committee meeting, we requested an opinion from the chief legal counsel at the Governor's office, regarding the voting rights of members who have been approved by the Council and are waiting for continuation of membership/reappointment from the Governor. We asked both R. Carroll and N. Baker to contact the Municipal Affairs

office to get some understanding of this. What you have before you is what we have received from them. Now that everyone has had an opportunity to review this, it is open to the floor for discussion. This is based on something that is custom and practice, apparently throughout the state with Councils and Boards that have appointments approved from the Governor's office.

R. Carroll: This issue has come up before and this opinion just affirms what has been my practice from Governor Sundland when the Council was formed in the early 90's and affirmed by Governor Almond as well. Governor Almond's appointment office was very efficient, however, generally there is great tardiness in filling the appointments on time. In any event, as you see here in the last paragraph the individuals who are up for reappointment are voting members.

D. Sienko: In order to avoid this from coming up again, because apparently it's come up in the past, should we ask the By-laws committee to take a look at this and see if language should be embedded in the By-laws so there's a clear understanding on this topic.

B. Anderson: It probably wouldn't hurt, but one of the things we have to be concerned about is our By-laws can't supersede what the State regulations apparently, seem to elude to, even though it appears here there really isn't any law involved. It is just something that this

particular State utilizes.

D. Sienko: Should I frame that in the form of a motion to ask the By-laws committee to examine this and see if it's at all appropriate to put language in the By-laws so that it's consistent with this. As we move on to other things, there will be a new group of people debating this same thing.

S. Greco: I think the only real issue we had a couple of months back was not with the reappointments, but the new appointments. Remember the meeting where we wondered whether we had a quorum or not. I think reappointments are handled like B. Anderson said, it is already found in past practice they're voting members until they are off the committee or replaced. I think the only issue was the actual appointments, when I had an issue with can I vote, because I hadn't been in my first term yet. Now that I've already been appointed once, those voting rights continue until the reappointments come.

B. Anderson: The situation was regarding reappointments. Appointments had nothing to do with that meeting discussion because if a member has never been appointed, they have no voting right whatsoever.

S. Greco: Many organizations have By-laws specific as to voting rights.

M. Hoyer: Can we put it in such a way that the State Policy can supersede whatever the practice is right now and.

D. Sienko: I think that was the nature of the motion. So we will kick it over to the By-laws committee and let them advise us.

Motion

D. Sienko made a motion seconded by S. Florio and unanimously approved to have the By-laws subcommittee review the advisory opinion and examine our By-laws to see if an amendment or change in language would be appropriate.

· Nominating & Leadership Development – J. Belasco

v Presentation of members for Reappointment to the SRC

The following members were unanimously approved by the Council for reappointment requests to be sent to the Governor.

1. Domenic Di Orio – Representing Community Rehabilitation Service Provider

2. M. Kathleen Ellis - Representing Recipient of Vocational Rehabilitation Services

3. Steven Florio - Representing Individuals with Hearing Disabilities

4. Scott Greco - Representing Labor/AFL-CIO

Reappointment for second three year Term

5. Elizabeth Graves - Representing Statewide Independent Living Council and the Governor's Advisory Council for the Blind and Visually Impaired

v Presentation of Vice Appointment to the State Rehabilitation Council.

The following member was unanimously approved by the Council for a Vice appointment request to be sent to the Governor.

1. Susan Donovan vice Roberta Wilfand – Representing a Parent Training and Information Center

v Presentation of recommendation for the slate of officers:

The following members were unanimously approved by the Council for appointment to the Officer Positions.

Chairperson: William Anderson

Vide-chairperson: J. David Sienko

Secretary: Rosemary Scribner

• The By-Laws Committee Proposal – C. Enos

C. Enos: Mr. Chairman, as reported at the last meeting, I would like to make a motion to amend the By-laws.

Motion

C. Enos made a motion seconded by S. Florio and approved with B. Cooper abstaining, to amend the By-laws under article 4, section 2, Election and Term of Office, by removing the line that states, "nominations for the slate of officers shall be offered to the full Council at the meeting prior to the November meeting", and add in the following. "The Nominating & Leadership Development committee will present their slate of nominations for officers to the full Council at a regular meeting no later than thirty (30) days prior to the annual meeting in November".

- SRC 2005 Schedule

B. Anderson: You all have a draft of the Executive committee meetings and full Council meetings proposed for next year.

I would propose to the Council that beginning in January, through the rest of the year, we have five (5) full Council meetings and five (5) Executive committee meetings. In addition, the June meeting will be used as we did this year, in conjunction with our annual review of the State Plan and the Public Hearing. That date will be contingent upon when the Public Hearing date is set. The biggest concern and it

meshes in with the Annual Report requirements, is that the subcommittees really need to organize their own schedules, align their work with the State Plan, and have their own meetings. And their meetings need to fall between the full Council meetings and the Executive committee meetings. That really did not occur this year, except for one (1) or two (2) committees. Unless these are organized meetings that occur and are set and scheduled they just don't happen and unfortunately, when we meet in the Executive committee meetings, when we need to really discuss the focus of what should be occurring and there's no discussion because there have not been subcommittee meetings. Obviously, this needs to occur, each chair of the subcommittees needs to report on the last two (2) or three (3) months worth of meetings that the subcommittees have been involved in at the Executive meetings. Therefore, over this next year, that would be the expectation of the Council, to really review what the subcommittees are doing.

We should be getting back on track to what the goal of this Council and its subcommittees are. This is my proposal for the Council, the Executive committee, as well as the full Council meetings. This past year, we had so many meetings, that we had difficulty bringing attendance up to a quorum, it seemed like every two (2) weeks we were having either an Executive committee meeting or a full Council meeting and general attendance for Council meetings was poor. It was not a very satisfactory conclusion either way. Therefore, this is the Executive committee's proposal for this year and I am opening

this up for a discussion.

R. Carroll: Can we presume this site is available for the meetings of the full Council?

B. Anderson: Yes. N. Baker already checked on that. What I would like to suggest, at least from my point of view, would be for the full Council meetings it would be easier for me to get here later than 4 pm, but, I will defer to the folks that are here, if more people would prefer to stay at four (4) that's fine with me.

S. Florio: What is the preferred time?

B. Anderson: I would prefer 4:30 pm, there are several people who have trouble getting here at 4 pm so I thought 4:30 pm might make it easier.

M. Hoyer: According to the By-laws does it say a time to have the meeting or does it just set a two (2) hour limitation.

C. Enos: No, there's no requirement for time.

G. Wier: You would have to arrange with the security guard because the door will be locked.

B. Anderson: Well it is up to you folks, is changing the time a problem

for other people or is 4 pm better for people. Don't change it for me; I'll just drive faster

S. Florio: I prefer to stay 4 pm to 6 pm. If one (1) or two (2) people have difficulty, but most people can make it, I prefer to keep it that way.

B. Anderson: Most people are staying with 4 pm to 6 pm, then we'll keep it the way it is. The next thing is the day, is Monday a good day for everyone?

D. Sienko: Last year we had a huge go-around and ended up right back to the same place we started.

B. Anderson: I remember that, too.

S. Florio: I think Monday works well.

Motion

S. Florio made a motion seconded by J. Ferreira and unanimously approved to accept the Executive and full Council schedule for 2005 as purposed by the Executive committee.

2005 SRC Schedule

Executive Meetings:

Day: Wednesday

Time: 4:15 – 6 PM

Location: Office of Rehabilitation Services

40 Fountain Street

Providence, RI 02903

Fifth floor conference Rm.

January 5

March 2

June 1

September 14

November 2

Full Council Meetings

Day: Mondays

Time: 4 – 6 PM

Location: RI Department of Labor and Training

Center General Complex

1511 Pontiac Avenue

Cranston, RI 02920

Building 73 - Main conference Rm.

January 10

March 7

June (TBD) – contingent on date of Public Hearing or ORS Annual update of State Plan, typically slated for the first week of June.

September 19

November 7

N. Baker: Regarding the December meeting slated for the 6th, will the Council still meet for this?

B. Anderson: I also thought we had an Executive committee scheduled.

N. Baker: Yes we do. Then do we keep these two (2) meetings or not. If the subcommittees can get the reports to the chair is it necessary to have them.

B. Anderson: my concern is that we have the December 6th meeting scheduled to provide an opportunity to review the subcommittees

reports or the Annual Report, which is the next topic of discussion. We have three (4) subcommittee chairs here.

D. Sienko: Annette is back and she has been calling people scheduling meetings.

B. Anderson: That is good. Therefore, we have three (3) subcommittee chairs here tonight and four (4) that we know are active. The subcommittee Chairs need to have a report to me by, let us say the 15th of December. So, as long as that report is provided to me, about the activities that the subcommittees have done for the past year, they should list the dates of the meetings, the agendas of the meetings, and what the subcommittees accomplished this year, in order for me to draft the Annual Report. I would like to have the Annual Report done by December 15th, so that I can provide that as a draft to the Council.

S. Florio: Does the Council approve it?

B. Anderson: Actually, the Annual Report goes for approval, which would be the January 10th meeting. I'll do a similar report to what was done last year. Annette had a great plan; I thought it was very well done. I think we could have the January 10th meeting for photographs. The Report should be done by the end of January.

D. Sienko: Can we send e-mail to the chairs of the subcommittees

reminding them of the items B. Anderson needs. That would be the fastest way to do that.

B. Anderson: I do not see any particular reason then, if the subcommittee Chairs can get me the information to have a December 6th meeting.

Motion

S. Greco made a motion seconded by S. Florio and unanimously approved to cancel the December Executive and full Council meetings.

- Para transit Cuts

M. Hoyer: I would like to discuss the proposed cuts for Rhode Island Public Transit (RIPTA). RIPTA plans to cut routes and even eliminate entire routes from its schedule. If they do this, they will affect the people who take the RIDE busses. Many elderly and handicapped people rely on the busses to get to work, doctors, and running other errands. One route they plan to eliminate goes down Jefferson Boulevard right by TechAccess. If they eliminate routes then the RIDE bus riders will not be able to take it. If ORS, the Department of Education, and other agencies spend money to educate and re-train people with disabilities so they can enter the job place, and they have no transportation, what is the point? How are they going to get to work and live independently? I would like the Council to send a letter

to the Governor expressing our concern about the cuts and emphasize the need to expand the program rather than cut it

B. Anderson: The cuts overall we are concerned about.

J. Ferreira: The ADA RIDE busses only go where the fixed bus routes are. For example, I take the bus home over to Plainfield Pike, and if they cancel bus number 19, I could not get RIDE to take me to and from work. A severely disabled person cannot ride on the regular bus. I cannot imagine if a regular bus route is canceled, how that person would get anywhere.

B. Anderson: To make this clear, what you are saying is that if RIPTA cancels a regular route then anyone on that route who might have been taking the RIDE bus can't take it anymore because they (RIPTA) is not obligated to go there with the RIDE bus.

B. Cooper: There are multiple funding sources. Only one of the funding sources is restrictive. For the vast majority of RIDE users, anywhere in the State of Rhode Island they can go. But there's a civil rights requirement imposed only on public transit systems and that is if their transit system is not useable by someone with a disability, they have to have an alternative, but only in the area where the transit service, serves everybody. That is the law. Because it is a civil rights law, it's not a funding law. There is no restriction on the State choosing to run the service beyond that area, and in several areas,

they now do.

The proposal by RIPTA to meet their budget crunch is to eliminate service to less populated areas so anyone with severe physical disabilities, won't be able to go anywhere. It's a funding issue that the General Assembly knew about last year when they passed the budget and they chose not to add any money to it. It is an issue that the Governor knew about last year when the budget issue passed and he chose not to give any more money. So I suggest that the Council send both the House and Senate Finance committee and the Governor letters because now they found a little bit of money, to keep most of the service going until January, but that's as far as they found it. And the Governor's position right now is there are too many people working in top management and if they eliminated some, they may find more money to keep a few services running. The ORS Administrators can tell you that transportation is the other major impediment, besides health care to get people to work and for pennies, we can get people to work, rather than spending a lot of money training them and then paying them to stay home. We should sell it as cost effective, not a disability service but as an economic development.

I can remember when it 20 years ago, Isabelle Frost, and the people at Brown and Sharp, and Stanley Bostitch; all the way down Route 2, sat with the budget director in and said we're forced to take less qualified people and hire them because the transit system ends at the Warwick

Mall. After a month of holding the job, we have to go with someone less qualified because we can't get them another mile. That is actually, what started the RIDE program in this State, the business community. They said, if you want us to hire people in the inner city and hire people who are single parents, and then you have to get people to our places. They were even willing to subsidize the transit service. But because the ADA passed later on, the transit system simply decided to narrow the service to the minimum the federal government said and that is, they believe that people without disabilities would walk up to three quarters (3/4) of a mile to get on a public bus. So that's how they did this. It does not make sense from a policy stand point. But it simply means the State needs to find the way to get everybody to work rather than send them a check so they stay home.

D. Sienko: Could I just suggest, we could make a suggestion that the Chair, on behalf of the Council, draft a letter to the Governor expressing our concerns about continued cuts or perceived cuts in the public transit system as an impediment to people who are transit dependent as a way to enter the work force. And please keep in mind, this is an impediment to people's economic freedom when people can't find their way to the door of the employer. So we can take that as a motion if it's appropriate.

The second thing I would suggest is the Leadership subcommittee may want to undertake a serious recruitment effort to bring someone

onto the Council in the next round of membership that is either a transportation advocate or is more aware of transportation issues. Maybe there is someone active with the RIPTA Advisory committee that is directly involved with advising the State department on transportation issue that we could get to serve on this Council and could be our go-to person.

I was made aware today from someone at RIPTA, that either the Governor's office or the Legislature is putting together closed hearings on transit issues. Have you heard anything on this?

B. Cooper: It is probably a legislative study committee and it may be appointed in the next two (2) months, and we hope they meet. But the General Assembly is famous for putting together committees to get the public to go away.

D. Sienko: Well they will be accepting expert testimony.

B. Cooper: It is illegal to have closed testimony. So if someone is suggesting secret testimony.

D. Sienko: I did not use the word, secret. The meeting is closed. But I think they're looking for people with specific experiences so it may have been RIPTA's way of saying they know there are a lot of problems with the school with kids for internships, can we have parents or someone come and give us some information.

The Council look to that opportunity to bring these issues there because whether they are serious about it or not, whether they follow through on it or not, we can't afford not to be represented. Those are my suggestions.

B. Cooper: Any time RIPTA has proposed route changes, they have public hearings.

B. Anderson: I know that part of the hearing is already done. I think D. Sienko is speaking of limited hearings or public meeting.

D. Sienko: That is it.

M. Hoyer: I want the letters to address the disabled persons independence, and how this would negatively affect that. If they cannot get to their job, it can have a negative psychological impact.

B. Anderson: There's no question that if you can't get to your place of employment by some means other than needing to have someone drop you off and pick you up is negative to most people. Being able to utilize some kind of bus or transportation service that is not part of your family is a very positive step for an individual to become more independent. Is there any further discussion?

R. Carroll: I am certainly in support of this motion. As another venue

to dramatize the issues being talked about, RIPTA has a high-quality committee that meets regularly in our office, senior executives of RIPTA that are making the same kind of issues that the Council has been talking about. There are varieties of venues articulating the need for an expansion of mass transit, particularly for people with disabilities.

B. Anderson: If that is happening in your office, then why are they cutting the routes?

R. Carroll: It is a question of policy priorities and money. It all comes down to the finances and the decisions. And that's why a Council like this is certainly to be out front advocating our agenda and interest on behalf of all people with disabilities.

Motion

D. Sienko made a motion seconded by **S. Florio** and unanimously approved to have the Chair send letters to the Governor, and the House and Senate Finance committee Chairs regarding transportation issues at RIPTA.

Break

- Sub-Committee's

All subcommittees were advised to set a schedule for the upcoming year and have it ready by December 15th.

- Administrator Report – R. Carroll

Ø The State Plan update - for FFY 2005 which began October 1st was finally approved by the Rehabilitation Services Administration and we will be making copies of the annual update for the SRC members. One of the recommendations in the letter for approval is for the agency to do a comprehensive needs assessment.

Ø SRC Training - The Rehabilitating Services Administration as developed a training program for the SRC. It is the intent to train SRC members, staff, and VR Agency persons so that there is a common baseline of understanding across the country. It will be a two (2) day session. B. Anderson will be receiving a letter from the Regional Commissioner inviting participation in the development of the program. The Council should start thinking who they would like to have attend. (A template for the two day training was distributed to the Council)

Ø Productivity - 1983 new individuals came into the program, which was an increase of 13% from the previous year, 2003.

1846 individuals found eligible, which was a 27% increase from 2003

1130 individuals found eligible and have developed employment plans, which is an increase of 12% from 2003.

635 individuals successfully employed in integrated setting, 90 days or more, which was a record year.

Ø Eighth Annual Employer Honor Roll - The SRC co-responded to the Honor Roll event, which took place October 6th. I want to

acknowledge D. Sienko's as the Master of Ceremonies in the absence of the Chair. We think the event went very successfully. Part of the event was the ceremonial signing of the Medicaid Buy-In bill.

If there is any special interest, item, knowledge, or information that the SRC would like, please bring it to our attention and we'll be pleased to educate you in terms of issues and concerns that are percolating in our office. On balance, we are very pleased with our performance last year and we hope to sustain that and continue to meet the Standards and Indicators that are part of our law.

· Meeting Adjournment – the meeting adjourned at 6 pm.

Respectfully Submitted,

**Nancy L. Baker, Staff
State Rehabilitation Council**